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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,953	06/24/2003	Naveed Mirza	CS21214RL	1085
20280	7590	03/31/2006	EXAMINER	
MOTOROLA INC 600 NORTH US HIGHWAY 45 ROOM AS437 LIBERTYVILLE, IL 60048-5343			NGUYEN, HUY D	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 03/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/602,953	<b>Applicant(s)</b> MIRZA ET AL.	
	<b>Examiner</b> Huy D. Nguyen	<b>Art Unit</b> 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 1/15/2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-17 and 19-22 is/are rejected.
- 7) ☒ Claim(s) 10, 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 1/15/2006 have been fully considered but they are not persuasive.

In the remarks filed 1/15/2006, the applicants submitted that the combination of Constein and Rydbeck does not result in both a second display and a text keypad disposed on a second face side. The examiner responds that Constien teaches a second display (e.g., display 13, figure 2) disposed on a second face side (see figures 1 and 2). The second display of Constien when modified to include a touchscreen keypad as suggested by Rydbeck et al. (see figure 7A and column 5, lines 49-51) results in both a second display and a text keypad disposed on a second face side.

The applicants also submitted that Rydbeck does not disclose an actual keypad and that Rydbeck only discloses displaying a keypad. The examiner asserts that the touchscreen keypad taught in Rydbeck is an actual keypad (see figure 7A and column 5, lines 49-51). It has been known in the art that a touchscreen keypad/keyboard is functionally the same as the conventional keypad/keyboard.

Also, the applicants submitted that Constein and Rydbeck do not disclose or suggest a candy-bar style housing. The examiner directs the applicants to either figure 1 of Constein or figure 1 of Rydbeck where the above limitation is taught.

The applicants submitted that there is no motivation to combine the two references. The examiner responds that the motivation to combine the Constein and Rydbeck references is to

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have a larger display since the conventional keypad is replaced by the touchscreen keypad which can be integrated to the display.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 9, 12-14, 17, 19, 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Constien (U.S. Patent No. 6,259,932) in view of Rydbeck et al. (U.S. Patent No. 6,751,487).

Regarding claims 1, 12-13, 19, 21-22, Constien teaches a mobile communication device, comprising: a housing having an exterior, the exterior including a first face side and a second face side (see figures 1 and 2), the second face side located on an opposite side of the housing from the first face side; a first display (e.g., display 4) disposed on the first face side; a numeric keypad (e.g., keypad 5) disposed on the first face side; a second display (e.g., display 13) disposed on the second face side. Constien does not teach a second keypad disposed on the second face side. Rydbeck et al. teaches that the keypad 25 can be integral to the display 15 as a touchscreen 25T (see figure 7A and column 5, lines 49-51). It would have been obvious to one having ordinary skill in the art, at the time of the invention to apply the teaching of Rydbeck et al. to the teaching of Constien in order to configure pervasive computing devices such as smaller,

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miniaturized, or "pocket-sized" wireless telephones in a manner which allows for larger displays over conventional devices as taught by Rydbeck et al..

Regarding claims 2, 14, Constien teaches the mobile communication device according to claim 1, wherein the numeric keypad comprises a telephone keypad and text keypad comprises a QWERTY keypad (Figs 1-2).

Regarding claim 3, Constien teaches the mobile communication device according to claim 1, wherein the housing comprises a candy bar phone style housing (Figs 1-2).

Regarding claim 4, Constien teaches the mobile communication device according to claim 1, wherein the second display comprises a display configured to display at least one line of text (Fig. 2).

Regarding claim 5, Constien teaches the mobile communication device according to claim 1, further comprising a speaker disposed on the first face side, the speaker located on a first side of the first display, and a microphone disposed on the first face side, the microphone located on a second side of the first display (Fig. 1).

Regarding claims 9, 17, the combination of Constien and Rydbeck et al. teaches the mobile communication device according to claim 1, wherein the second display substantially surrounds the text keypad disposed on the second face side (see Rydbeck et al.: Fig. 7A).

4. Claims 6, 11, 15, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Constien (U.S. Patent No. 6,259,932) in view of Rydbeck et al. (U.S. Patent No. 6,751,487) and in further view of Kenagy et al. (U.S. Patent No. 6,449,492).

Regarding claims 6, 11, 15, 20, the combination of Constien and Rydbeck et al. teaches the claimed invention except a controller configured to receive signals from the user interface and activate and deactivate the text keypad based on the signals received from the user interface. The preceding limitation is taught in Kenagy et al. (see column 4, lines 24-45). It would have been obvious to one having ordinary skill in the art, at the time of the invention to apply the teaching of Kenagy et al. to the combination of Constien and Rydbeck et al. in order to prevent inadvertant operation of a manual input device.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Constien (U.S. Patent No. 6,259,932) in view of Rydbeck et al. (U.S. Patent No. 6,751,487) and in further view of Riddiford (U.S. Patent No. 6,587,675).

Regarding claim 7, the combination of Constien and Rydbeck et al. fails to teach the mobile communication device according to claim 1, wherein the text keypad is operated in a position orthogonal to a position of numeric keypad operation. However, the preceding limitation is taught in Riddiford (Figs. 1 & 2). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the communication device of Constien and Rydbeck et al. with the teaching of Riddiford to provide more flexibility for users.

6. Claims 8, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Constien (U.S. Patent No. 6,259,932) in view of Rydbeck et al. (U.S. Patent No. 6,751,487) and in further view of King et al. (US 2004/0067770 A1).

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Regarding claims 8, 16, the combination of Constien and Rydbeck et al. fails to teach the mobile communication device according to claim 1, further comprising a third display disposed on the second face side, wherein the third display is configured to display at least one line of text. However, the preceding limitation is taught in King et al. (see paragraph [0104]). It would have been obvious to one having ordinary skill in the art, at the time of the invention to apply the teaching of King et al. to the combination of Constien and Rydbeck et al. in order to provide convenience for users.

#### *Allowable Subject Matter*

7. Claims 10 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 10 and 18, the cited prior arts fail to teach the mobile communication device according to claim 9, wherein the second display is configured to display scrolling text by scrolling the text around the text keypad disposed on the second face side.

#### *Conclusion*

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Huy Nguyen



JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER